HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 1306 (SS) OF 2001

(Old No. 27040/1996)

1. Jaswant Singh, S/o Raje Singh,
2. Bahadur Singh, S/o Kam Singh,
3. Dev Singh, S/o Har Singh,
4. Chandan Singh, S/o Prem Singh,
5. Sher Singh, S/o Rampati,
6. Daulat Singh, S/o Dhan Singh,
7. Butha Singh, S/o Prem Singh,
8. Padam Singh, S/o Kunwar singh,
9. Hira Singh, S/o Daulat Singh,
10. Bhawani Datt, S/o Devi Datt,
11. Ganga Singh, S/o Gosai Singh,
12. Godan Singh, S/o Jasodh Singh,
13. Gopal Singh, S/o Jaman Singh,
14. Nanda Vallabh, S/o Mathura Datt,
15. Balam Singh, S/o Ram Singh,
16. Klhushal Giri, S/o Bhairav Giri,
17. Alam Singh, S/o Kalyan Singh,
18. Darban Singh, S/o Gopal Singh,
19. Daya Krishna, S/o Dhani Ram,
20. Pooran Singh, S/o Chamar Singh,

All are posted at Shyaldey Forest Range, (Soil Conservation) Forest Division, Ranikhet, Almora.

.....Petitioners.

Versus

1. The State of U.P. through Secretary, Forest Department, Govt. of U.P., Lucknow.
2. The Chief Conservator of Forest, U.P. at Lucknow.

3. The Conservator of Forest (Soil Conservation), South Circle, Nainital.
4. The Range Officer, Shyaldey Forest Range (Soil Conservation), Forest Division, Ranikhet, District – Almora. .....Respondents.

Hon'ble Rajesh Tandon, J.

Heard Sri B.D. Upadhyay, Advocate for the petitioner and Standing Counsel for the respondents.

2. By the present writ petition, the petitioners have prayed for a writ of certiorari quashing the orders dated 27. 7.1996, 08.07.1996 & 05.07.1996 passed by the respondents no. 4 (Annexure Nos. 1 to 7 to the writ petition).

3. Briefly stated, the petitioners were appointed on the post of Banikaran Shrami, Forest Guest House Chaukidar and Paudhalaya Shramik in the Shyaldey Forest Range at Almora by the respondent no. 4 on daily wage basis and they were getting their wages on the rates as determined by the State Govt. from time to time.

4. On 29.07.1996, 08.07.1996, 05.0-7.1996, 06.07.1996, 05.07.1996, 05.07.1996 and 05.07.1996 order was passed terminating the services of the petitioners. One of the termination orders shows as under:

"Lekj]

vkidks lwfpr fd;k tkrk gS fd jkft vUrxZr ouhdj.k o ikS/kky;ksa@ouhdj.k Jfedksa dks QkeZ ls gVk;k tkuk gSA vr% ofj"Brk lwph ds vk/kkj ij fuEu Jfed izHkkfor gq, gSaA vr% i= izkIr djrs gh mUgsa lwfpr dj nsosa fd mUgsa fn0 1&8&96 ls dksbZ ikfjJfed ns; ugha gksxkA blesa fdlh

izdkj dk foyEc o ykijokgh u cjrh tk;A vU;Fkk iw.kZ mRrjnkf;Ro vkidk gksxkA

5. Petitioners have challenged the order of termination by means of this writ petition.

6. It appears that by lapse of time, writ petition has become infructuous.

7. Writ petition is dismissed as infructuous. No order as to costs.

(Rajesh Tandon, J.)

14.08.2006
Rathour